

AO 108 (Rev. 06/09) Application for a Warrant to Seize Property Subject to Forfeiture

FILED~~UNITED STATES DISTRICT COURT~~
LAS CRUCES, NEW MEXICO**UNITED STATES DISTRICT COURT**

OCT 2 - 2023

for the

District of New Mexico

**MITCHELL R. ELFERS**
CLERK OF COURTIn the Matter of the Seizure of
(Briefly describe the property to be seized)
Approximately \$129,020 in U.S. Currency)
)
)
)
)Case No. **23-1871MR****APPLICATION FOR A WARRANT
TO SEIZE PROPERTY SUBJECT TO FORFEITURE**

I, a federal law enforcement officer or attorney for the government, request a seizure warrant and state under penalty of perjury that I have reason to believe that the following property in the _____ District of

New Mexico

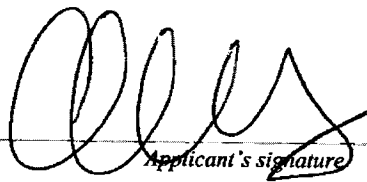
is subject to forfeiture to the United States of America under _____ 21 _____ U.S.C. §

881(a)(6) (describe the property):

Approximately \$129,020 in U.S. Currency recovered by Las Cruces Police Department/Metro Narcotics on September 25, 2023, and currently in Law Enforcement storage in New Mexico.

The application is based on these facts:

Refer to the attached Affidavit in Support of Application for Seizure by FBI SA Chafin Cox

☒ Continued on the attached sheet.

Applicant's signature

Chafin Cox, Special Agent, FBI

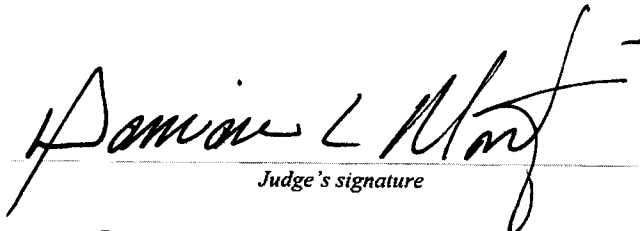
Printed name and title

Sworn to before me and signed in my presence.

Date:

2 Oct 2023

City and state: Las Cruces, New Mexico



Judge's signature

Damian L. Martinez, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEIZURE WARRANT

I, Chafin Cox, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since 2018. I am currently assigned to the FBI's Albuquerque Division, Las Cruces Resident Agency where I am assigned to investigate criminal matters. By virtue of my employment with the FBI, I am authorized to conduct investigations into violations of federal laws, to include bank robberies, the trafficking of illegal narcotics, the illegal possession of firearms, and various federal criminal violations. My law enforcement training and experience includes, but is not limited to, conducting surveillance; interviewing subjects, victims and witnesses; writing affidavits for and executing search warrants; issuing administrative subpoenas; analyzing phone records, and financial records; as well as analyzing data derived from the use of pen registers, trap and trace devices; and supporting Title III investigations.

PROPERTY TO BE SEIZED

2. This Affidavit is in support of an Application for a Seizure Warrant for: approximately \$129,020 in U.S. currency (hereinafter referred to as "the Subject Currency"), which is currently in the possession of law enforcement.

STATEMENT OF PROBABLE CAUSE

3. Prior to September 25, 2023, a Las Cruces Police Department/Metro Narcotics Interdiction Officer who is deputized in Otero County as well as a Task Force Officer (TFO) with the FBI had been investigating a 2020 Ford Expedition, TX License Plate #TGS1574, that had historically

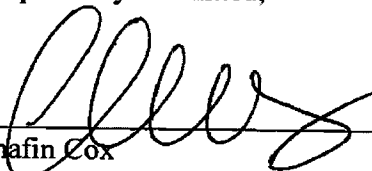
been making frequent trips from Ciudad Juarez, Mexico, to multiple states in the United States and then returning to Mexico only after a few days. Based on the TFO's extensive training and experience with drug, bulk cash, and firearms interdictions, the TFO believed that there was a high probability that the vehicle was involved in illegal activity. The TFO had information that the vehicle would be heading south on HWY 54 near Alamogordo, NM, on or around September 25, 2023. On September 25, 2023, the TFO identified the vehicle traveling at a speed over the legal limit south on HWY 54 in/near Alamogordo, NM. The TFO conducted a traffic stop of the vehicle on HWY 54 just south of Alamogordo, NM. The driver of the vehicle was later identified as Kelli Ann Gomez. When the TFO approached and began to converse with Gomez about the reason for the stop, Gomez' demeanor appeared to the TFO to be unnatural and deceptive. Based on Gomez' behavior at the stop and the vehicle's prior suspicious travels, the TFO believed that Gomez was in the process of smuggling bulk drug proceeds and/or firearms into Ciudad Juarez, Mexico. Gomez gave the TFO written and verbal consent to search the vehicle, and the TFO conducted a search of the vehicle.

4. During a search of the vehicle the TFO discovered a complex aftermarket hidden compartment in the vehicle. Based on my training and experience, I know that such compartments are frequently used by criminals to hide drugs, money, and or firearms to avoid being discovered by law enforcement. When the TFO gained access to the compartment, he observed a large amount of bulk U.S. Currency. The TFO contacted his supervisor, and I responded to the scene to assist with searching the vehicle and interviewing the subject. From the hidden compartment, agents seized approximately \$129,020 in bulk U.S. currency. The majority of the currency had been vacuumed sealed in three plastic bags, two of which were marked with "B40" and one of which was marked with "B15."

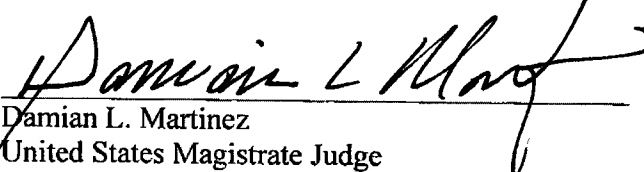
5. The TFO and I conducted an interview with Gomez. After being notified of the identity of the interviewers and being read her *Miranda* rights, Gomez agreed to speak with the interviewers without a lawyer present and signed an advice of rights form. Gomez admitted that she had left her home in Ciudad, Juarez, Mexico and travelled to the Midwest United States in order to pick-up bulk cash derived from illegal drug trafficking. Gomez stated that she picked up the illegal drug proceeds in the Midwest United States, put it in the hidden compartment, and was on her way back to Ciudad Juarez, Mexico, with the illegal drug proceeds. When asked whether she was going to claim the money at the port of entry, Gomez admitted that she had not intended to claim the bulk cash/illegal drug proceeds.

6. Based on the facts and circumstances contained herein, I believe that there is probable cause to establish the Subject Currency represents proceeds of illegal drug trafficking, as described in Title 21 of the United States Code. As such, I believe the Subject Currency may be seized and subject to forfeiture by the United States Department of Justice pursuant to 21 U.S.C. § 881(a)(6). This affidavit was reviewed by Assistant United States Attorney Renee Camacho.

Respectfully submitted,


Chafin Cox
Federal Bureau of Investigation Special Agent

Electronically submitted and telephonically
sworn to before me on October 2, 2023;


Damian L. Martinez
United States Magistrate Judge